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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|----------------------|-----------------------|------------------|
| 10/605,474 | 10/01/2003 | Philip Kortum | SBC 0126 PA (T000523) | 2473 |
| 60533 | 7590 | 01/26/2007 | EXAMINER | |
| TOLER SCHAFFER, LLP | | | NANO, SARGON N | |
| 5000 PLAZA ON THE LAKES | | | | |
| SUITE 265 | | | ART UNIT | PAPER NUMBER |
| AUSTIN, TX 78746 | | | 2157 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 01/26/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|-----------------|---------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/605,474 | KORTUM ET AL. | |
| | Examiner | Art Unit | |
| | Sargon N. Nano | 2157 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/03, 4/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to application filed on Oct. 1, 2003. Claims 1 – 20 are pending examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "at least one physical interface" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Jerger et al. U.S. Patent No. 6,321,334 (referred to hereafter as Jerger).

As to claim 1, Jerger teaches a material content setting adjustment system comprising:

at least one computer (see col. 3 lines 28 – 32, Jerger discloses a computer browsing session between a client computer and a server computer in a network);

at least one interface facilitating communication between said at least one computer and a network (see col. 3 lines 32 – 41 and fig. 1 item # 153, jerger discloses a computer browsing session between a client computer and a server computer using a network interface) ;

at least one interface mode adjustment switch having a plurality of physical operating mode positions (see col. 3 line 65 – col. 4 line 12 & col. 4 lines 127 – 44, and figs. 4A and 5A, Jerger discloses a pictorial interface representation of different modes that are available to a user); and

a controller coupled to said at least one physical interface mode adjustment switch and selectively determining passage of material content between said at least one computer and said at least one interface in response to position of said at least one interface mode adjustment switch (see col.13, line 47 – col. 14 line 11 and col. 18 line 12 – 31, Jerger discloses a dialog window presenting user interfaces , where a user is able to select a desired level of mode) .

As to claim 2, Jerger teaches a system as in claim 1 wherein said at least one interface is an interface selected from at least one of a gateway, a hub, a high-speed communication interface, and a router (see col. 12, lines 41 – 56 and fig. 1).

As to claim 3, Jerger teaches a system as in claim 1 wherein said controller is contained at least partially within said at least one computer (see col. 12 lines 41 – 56).

As to claim 4, Jerger teaches a system as in claim 1 wherein said controller is contained at least partially within said at least one interface(see col. 12 lines 31 – 40).

As to claim 5, Jerger teaches a system as in claim 1 wherein said plurality of operating mode positions correspond with a plurality of operating modes of said controller (see col. 16 lines 21 – 50 and fig.4A).

As to claim 6, Jerger teaches a system as in claim 1 wherein said controller has a plurality of operating modes that comprise modes selected from at least two of a

blocking mode, a learning mode, a partially blocking mode, and a non-blocking mode (see col. 20 lines 35 – 57).

As to claim 7, Jerger teaches a system as in claim 1 wherein said at least one interface mode adjustment switch has a firewall activated position and a firewall deactivated position(see col.3 lines 41 – 54).

As to claim 8, Jerger teaches a system as in claim 1 wherein said interface is coupled to said network via a connection selected from at least one of a high-speed communication connection, a digital subscriber line connection, a communications-unity antenna television connection, a satellite connection, a wireless connection, a broadband cable connection, analog connection, and an Internet connection (see fig. 2).

As to claim 9, Jerger teaches a system as in claim 1 wherein said at least one interface mode adjustment switch is a switch selected from at least one of a toggle switch, a rotary switch, a push button switch, a rocker switch, a slide switch, and a keylock switch (see col.18, lines 12 – 50 and figs. 4A and 5A).

As to claim 10, Jerger teaches the method of claim 1 wherein said at least on interface mode adjustment switch is hardware-based (see col. 12, lines 20 – 40, the switch is inherently activated using a mouse or a keyboard which is a hardware switch).

As to claim 11, Jerger teaches a system as in claim 1 wherein said at least one interface mode adjustment switch is mounted in at least one of said at least one computer, said at least one interface, and at least one housing (see figs 4A and 5 A).

As to claim 12, Jerger teaches a material content setting adjustment system comprising:

- at least one computer (see col. 3, lines 29 – 41);
- at least one interface facilitating communication between said at least one computer and a network (see col.3 lines 32 – 41);
- at least one interface mode adjustment switch having a plurality of operating mode selections comprising a learning mode selection (see col. 18 lines 12 – 31); and
- a controller coupled to said at least one interface mode adjustment switch, having a plurality of operating mode selections, and selectively determining passage of material content between said at least one computer and said at least one interface in response to said plurality of operating mode selections(see col. 13 lines 47 – col. 14 line 11).

As to claim 13, Jerger teaches a system as in claim 12 wherein said at least one interface mode adjustment switch is software actuated (see col. 12, lines 20 – 40).

As to claim 14, Jerger teaches a system as in claim 12 wherein said plurality of operating mode positions have an onscreen representation (see fig. 4A, Jerger discloses multiple operating modes such as high, medium and low).

As to claim 15, Jerger teaches a system as in claim 12 wherein status of said at least one interface mode adjustment switch is continuously shown on said at least one computer desktop(see fig. 4A).

As to claim 16, Jerger teaches a method of adjusting passage of material content within a communication system comprising:

facilitating communication between at least one computer and a network via at least one interface (see col. 3 lines 32 – 41);

selecting a material content passage operating mode via at least one physical interface mode adjustment switch(see col. 13 lines 47 – col. 14 line 11);

and determining passage of material content between said at least one computer and said at least one interface in response to said selected material content passage operating mode(see col. 18 lines 12 – 31).

As to claim 17, Jerger teaches a method as in claim 16 further comprising: selecting a learning mode; and learning allowable material content (see col. 13 lines 47 – col. 14 lines 11).

As to claim 18, Jerger teaches a method as in claim 17 wherein learning allowable material content comprises operating in a non-blocking mode or a partially blocking mode (see col.13, lines 47 – col. 14 lines 11 and fig. 7A).

As to claim 19, Jerger teaches a method as in claim 17 wherein learning allowable material content is performed for a predetermined length of time(see col. 13 lines 47 – col. 14 lines 44 - 64).

As to claim 20, Jerger teaches a method as in claim 16 further comprising operating in at least one mode selected from a blocking mode, a learning mode, and a non-blocking mode (see col.13, lines 47 – col. 14 lines 11 and fig. 7A).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N. Nano whose telephone number is (571) 272-4007. The examiner can normally be reached on 8 hour.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sargon Nano

Jan. 17, 2007


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